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## TRANSMITTAL FORM

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al Number of Pages in This Submission

|  | Application No.      | 09/844,080                 |  |  |
|--|----------------------|----------------------------|--|--|
|  | Filing Date          | April 26, 2001             |  |  |
|  | First Named Inventor | Philippe J. Goix           |  |  |
|  | Examiner Name        | Gabel, G.                  |  |  |
|  | Group Art Unit       | 1641                       |  |  |
|  | Attorney Docket No.  | A-69516/AJT<br>(463032-23) |  |  |

| ENCLOSURES (check all that apply)   |                                  |          |  |                       |                         |   |  |  |
|---|----------------------------------|----------|--|-----------------------|-------------------------|---|--|--|
| Fee Transmit  | ttal Form                        |          | Assignment Papers (for an Application)                         |                       |                         | After Allowance Communication to Group                            |  |  |
| Fee Attached  | J                                |          | Drawing(s)   |                       |                         | Appeal Communication to Board of Appeals and Interferences        |  |  |
| Amendment   | / Reply (10 pgs.)                |          | Licensing-related Pa   | pers                  |                         | Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |  |  |
| After Final   |                                  | Petition |  |                       | Proprietary Information |   |  |  |
| Affidavits/declaration(s)   |                                  |          | Petition to Convert to a Provisional Application               |                       |                         | Status Letter   |  |  |
| Extension of Time Request   |                                  |          | Power of Attorney, Revocation Change of Correspondence Address |                       | KN                      | Other Enclosure(s) (please identify below):                       |  |  |
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| Certified Copy of Priority Document(s)  Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53   |                                  |          | CD, No. of CD(s)   |                       |                         |   |  |  |
|   |                                  |          | Remarks  |                       |                         |   |  |  |
|   |                                  |          |  |                       |                         |   |  |  |
| Aldo J. Test, Reg. DORSEY & WHITM 4 Embarcadero Ce San Francisco, CA Telephone: (650)   |                                  |          | NEY LLP<br>nter, Suite 3400<br>94111<br>194-8700               |                       |                         |   |  |  |
| or<br>Individual name   | Facsimile: (650) 494 6771        |          | Custo  | Customer Number 32940 |                         |   |  |  |
| Signature   |                                  |          | Tie  |                       |                         |   |  |  |
| Date October 1, 2002  |                                  |          |  |                       |                         |   |  |  |
| CERTIFICATE OF MAILING  |                                  |          |  |                       |                         |   |  |  |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with Sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: |                                  |          |  |                       |                         |   |  |  |
| Typed or printed name   | Joyce E. Abriam                  | 1        |  |                       |                         |   |  |  |
| Signature form &  |                                  | lin      |  | Date                  | October 1, 2004         |   |  |  |

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Goix et al.

Serial No. 09/844,080

Filed: April 26, 2001

For: Particle or Cell Analyzer and

Method

Art Unit: 1641

Examiner: Gabel, G.

Confirmation No. 9621

## AMENDMENT/RESPONSE

Dated: October 1, 2004

CERTIFICATE OF MAIL (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 1, 2004.

Signed:

Joyce E. Alvir

Mail Stop AF

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Amendment is responsive to the Final Office Action mailed July 14, 2004.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.